



**Agenda Item Number: 2005-4-8A**

## **BERNALILLO COUNTY BOARD OF COUNTY COMMISSIONERS**

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**Meeting Date:** April 12, 2005

**Department:** Zoning, Building, Planning  
& Environmental Health

**Staff Contact:** Sanford Fish, Director  
Julie Baca, Deputy County Manager

**TITLE:** Granting Permit and Inspection Authority for County and City Owned Buildings

**ACTION:** Motion to approve the Joint Powers Agreement between Bernalillo County and the City of Albuquerque relating to issuance of permits and provide inspection on all County/City owned buildings.

### **SUMMARY:**

This proposed Joint Powers Agreement authorizes the County to issue permits and provide inspections on all County-owned buildings located within the City municipal limits. It also provides similar authorization to the City for any City-owned property located in the unincorporated area of the County.

Over the past five years, the Building Officials of the County and the City have established a cooperative working relationship on issues related to permits and inspections for buildings owned by one government but located in the jurisdiction of the other jurisdictions. Following are some examples of projects where the County and the City have used informal agreements to determine which government would have the authority to issue permits and complete inspections:

- Code enforcement on problem properties in the North and South Valley
- City wastewater treatment plant on South Second Street
- Bernalillo County Courthouses (old and new)
- Sewage treatment facilities in the North and South Valley
- Public Works Storm Drainage and Sewer System facilities
- Juvenile Detention Facility on North Second Street
- Cornell Regional Corrections Facility (BCDC)
- The Breece Building (MRCOG offices on Copper NW)
- The Hiland Theatre Project

There has been cooperation using informal agreements on these projects, but a formal agreement would result in improved efficiencies and quicker response times. The JPA would also establish a formal agreement for future administrations. The City has reviewed and approved the JPA.

### **ATTACHMENT:**

1. Joint Powers Agreement.

# FISCAL IMPACT

None.

## STAFF ANALYSIS SUMMARY

### COUNTY MANAGER

The County has numerous properties/projects within the City limits that historically have required City review. This JPA would allow the County to have sole jurisdiction over these projects thereby streamlining the process. I recommend Board approval. TL 4/6/05

### DEPUTY COUNTY MANAGER FOR COMMUNITY SERVICES

Approval of the JPA will allow County building officials to issue permits and provide inspections, as required, for County owned buildings located in the City of Albuquerque's jurisdiction. As noted in the agenda summary, this new process will facilitate the building permit and inspection process for County owned buildings and will eliminate City building official's involvement in providing permits and inspections for County owned buildings located in the City. The term of the JPA will be for an indefinite period of time, or upon delivery of a written notice to the other Party at least 90-days prior to the effective date of termination. Recommend approval of the JPA. Julie M. Baca 3/25/2005

### DEPUTY COUNTY MANAGER FOR PUBLIC WORKS DIVISION

The JPA if approved will expedite the process of vertical building construction undertaken by Bernalillo County through its inspection priority scheduling. TW 3/8/05

### DEPUTY COUNTY MANAGER FOR PUBLIC SAFETY

If the Board approves this Joint Powers Agreement, it would clearly facilitate by giving authority for the processing of building and Fire Marshall permits, inspections, reviews etc. for all buildings owned by the County to the County Building, Zoning and Planning Department and Fire Department. From recent experience (examples provided in Summary), Bernalillo County Departments respond much quicker and are more knowledgeable of Capital projects and become involved much earlier in the process. I recommend approval of this item. jdantis 2/21/05

### LEGAL

When DFA approves the JPA, the County will be authorized to inspect its own buildings within city limits, thereby enabling County staff to better coordinate its efforts in the construction of County facilities. Without the JPA, the County's jurisdiction in this area might be successfully challenged. PFT 3/16/05

### FINANCE

<b>Budget</b>	Approval of this Joint Powers Agreement will not have any fiscal impact. Geri Maestas, Budget Analyst Sr. 2/23/05
<b>Purchasing</b>	No comments required. Lisa Sedillo-White, Purchasing Director 3/8/05
<b>Contracts</b>	Contract Control Number 2005-0117 has been issued to this JPA Billie Baca, Senior Buyer 3/21/05
<b>Risk Management</b>	Neither party shall be responsible for the liability incurred as a result of the other party's acts or omissions in connection with this Agreement. Any liability incurred in connection with this Agreement is subject to the immunities and limitations of the New Mexico Tort Claims Act. David A. Baca, Risk Management. 2/21/05

## **ELECTED OFFICIAL/OTHERS**

### **Facility Management & Services**

I am fully supportive of the JPA. We have been operating informally using County Inspectors on County Facilities. This will clarify and improve efficiency by going to one place for all permits, for County staff, and the contractors. Tom Zdunek 2/21/05